# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

JOSEPH DAVIS, ON BEHALF OF	§	
HIMSELF AND ALL OTHERS	§	
SIMILARLY SITUATED,	§	
	§	
PLAINTIFF	§	
	§	
	§	
<b>v.</b>	§	CIVIL ACTION NO. 1:25-cv-184
	§	
MARTIN RESOURCE	§	
MANAGEMENT CORPORATION	§	
AND MARTIN TRANSPORT, INC.,	§	
	§	
DEFENDANTS	§	JURY DEMANDED

## MOTION TO TRANSFER VENUE TO THE TYLER DIVISION

Plaintiff Joseph Davis files this Motion to Transfer Venue pursuant to 28 U.S.C. § 1404(a), and in support thereof would respectfully show the Court as follows:

## I. INTRODUCTION

This case was inadvertently filed in the Beaumont Division of the Eastern District of Texas. Plaintiff's Original Complaint reflected that it was intended to be filed in the Tyler Division of the Eastern District of Texas as set forth in the caption of the Complaint. All relevant events, parties, evidence and witnesses are located within the Tyler Division. Accordingly, Plaintiff respectfully requests that this Court transfer the case to the Tyler Division for the convenience of the parties and witnesses and in the interest of justice.

## II. LEGAL STANDARD

Under 28 U.S.C. § 1404(a), a district court may transfer any civil action to any other division within the same district where the action might have been brought for the convenience of

## III. ARGUMENT AND AUTHORITIES

## A. Proper Venue in the Tyler Division

The Tyler Division is a proper venue for this action as all relevant events occurred there, and all parties and witnesses reside or are located within that division. Beaumont is inappropriate, as it has no connection to the facts underlying this lawsuit, and was, as mentioned above, only filed in Beaumont due to an inadvertent error made in the filing process.

#### **B.** Convenience of Parties and Witnesses

Transferring the case to the Tyler Division would significantly reduce travel time and expenses for all parties and witnesses, thereby serving the convenience of the parties and witnesses, especially because no witnesses, evidence or parties are located in Beaumont.

## C. Interest of Justice

Given that the case has no connection to the Beaumont Division, transferring it to the Tyler Division would promote judicial efficiency and serve the interest of justice.

## IV. CONCLUSION AND PRAYER

For the foregoing reasons, Plaintiff respectfully requests that the Court transfer this case to the Tyler Division of the Eastern District of Texas.

Respectfully submitted,

WELMAKER LAW, PLLC

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## ATTORNEY FOR PLAINTIFF

## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion to Transfer Venue has been filed electronically through the CM/ECF system on May 8, 2025.

> /s/ Douglas B. Welmaker Douglas B. Welmaker